

**UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

X CORP., a Nevada corporation,
Plaintiff,

vs.

MEDIA MATTERS FOR AMERICA, a
Washington, D.C. non-profit corporation,
ERIC HANANOKI, and **ANGELO
CARUSONE**,
Defendants.

Case No. 4:23-CV-01175-O

APPENDIX

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Dated: October 25, 2024

Respectfully submitted.

/s/ Christopher D. Hilton
Judd E. Stone II
Texas Bar No. 24076720
Christopher D. Hilton
Texas Bar No. 24087727
Ari Cuenin
Texas Bar No. 24078385
Michael R. Abrams
Texas Bar No. 24087072
Alex M. Dvorscak
Texas Bar No. 24120461
Cody C. Coll
Texas Bar No. 24116214
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John C. Sullivan
Texas Bar No. 24083920
S|L LAW PLLC
610 Uptown Boulevard, Suite 2000
Cedar Hill, TX 75104
Telephone: (469) 523-1351
Facsimile: (469) 613-0891
john.sullivan@the-sl-lawfirm.com

CERTIFICATE OF SERVICE

I hereby certify that this document was served on all counsel for record on October 25, 2024, via the Court's CM/ECF system.

/s/ Alexander M. Dvorscak
Alexander M. Dvorscak

TAB 1

From: [Abha Khanna](#)
To: [Chris Hilton](#); [Alex Dvorscak](#); [Michael Abrams](#); [Elizabeth Brown Fore](#)
Cc: [Aria Branch](#); [Jacob Shelly](#); [Elena Rodriguez Armenta](#); [Ahmed, Amer S.](#); [LeGrand, Andrew](#); [Daniela Lorenzo](#)
Subject: X Corp. v. MMFA: Fourth Discovery Deficiency Letter
Date: Monday, October 14, 2024 9:31:49 PM
Attachments: [2024.10.14 Defendants' Fourth Deficiency Letter to Plaintiff X Corp.pdf](#)

Counsel,

Please see attached for correspondence responding to your September 27 and October 9 letters.

Best,

Abha

Abha Khanna
Elias Law Group LLP
1700 Seventh Ave Ste 2100
Seattle WA 98101
206-656-0177
akhanna@elias.law

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TAB 2

From: [Abha Khanna](#)
To: [Chris Hilton](#); [Alex Dvorscak](#); [Michael Abrams](#); [Elizabeth Brown Fore](#)
Cc: [Aria Branch](#); [Jacob Shelly](#); [Elena Rodriguez Armenta](#); [Ahmed, Amer S.](#); [LeGrand, Andrew](#); [Daniela Lorenzo](#)
Subject: RE: X Corp. v. MMFA: Fourth Discovery Deficiency Letter
Date: Friday, October 18, 2024 7:07:31 PM

Counsel,

Our recent letter requested a response by today. It is now past COB and we have not heard from you. If you intend to amend any of your allegations or responses in response to our concerns, please let us know by **9 pm CT**. Otherwise we will proceed with a motion to compel production and responses to RFP Nos. 7, 9, 13, 17, 25, 26, 28, and 33; RFA Nos. 5, 9(A)–73(B), 82, and 83; and Interrogatory Nos. 6 and 8 and alert the Court that X opposes the motion.

Many thanks,

Abha

Abha Khanna
Elias Law Group LLP
1700 Seventh Ave Ste 2100
Seattle WA 98101
206-656-0177
akhanna@elias.law

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From: Abha Khanna
Sent: Monday, October 14, 2024 7:32 PM
To: Chris Hilton <chris@stonehilton.com>; Alex Dvorscak <alex@stonehilton.com>; Michael Abrams <michael@stonehilton.com>; Elizabeth Brown Fore <Elizabeth@stonehilton.com>
Cc: Aria Branch <abranch@elias.law>; Jacob Shelly <jshelly@elias.law>; Elena Rodriguez Armenta <erodriguezarmenta@elias.law>; Ahmed, Amer S. <AAhmed@gibsondunn.com>; LeGrand, Andrew <ALeGrand@gibsondunn.com>; Daniela Lorenzo <dlorenzo@elias.law>
Subject: X Corp. v. MMFA: Fourth Discovery Deficiency Letter

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TAB 3

From: [Alex Dvorscak](#)
To: [Abha Khanna](#)
Cc: [Aria Branch](#); [Jacob Shelly](#); [Elena Rodriguez Armenta](#); [Ahmed, Amer S.](#); [LeGrand, Andrew](#); [Daniela Lorenzo](#); [Chris Hilton](#); [Michael Abrams](#); [Elizabeth Brown Fore](#); [Judd E. Stone, II](#); [Ari Cuenin](#); [Cody Coll](#)
Subject: RE: X Corp. v. MMFA: Fourth Discovery Deficiency Letter
Date: Friday, October 18, 2024 7:54:50 PM
Attachments: [2024-10-18 Letter to A. Khanna.pdf](#)

Hi Abha,

As I'm sure you can understand, I've never considered 5:00pm to be the end of the business day. Please see my attached correspondence that addresses the points you raised in your letter dated October 14, 2024. If, after your review, there is anything you would like to discuss, please let me know and we would be happy to meet-and-confer.

Best,

-Alex Dvorscak

STONE HILTON PLLC

alex@stonehilton.com | (518) 772-8657

From: Abha Khanna <akhanna@elias.law>
Sent: Friday, October 18, 2024 7:07 PM
To: Chris Hilton <chris@stonehilton.com>; Alex Dvorscak <alex@stonehilton.com>; Michael Abrams <michael@stonehilton.com>; Elizabeth Brown Fore <Elizabeth@stonehilton.com>
Cc: Aria Branch <abranch@elias.law>; Jacob Shelly <jshelly@elias.law>; Elena Rodriguez Armenta <erodriguezarmenta@elias.law>; Ahmed, Amer S. <AAhmed@gibsondunn.com>; LeGrand, Andrew <ALeGrand@gibsondunn.com>; Daniela Lorenzo <dlorenzo@elias.law>
Subject: RE: X Corp. v. MMFA: Fourth Discovery Deficiency Letter

Counsel,

Our recent letter requested a response by today. It is now past COB and we have not heard from you. If you intend to amend any of your allegations or responses in response to our concerns, please let us know by **9 pm CT**. Otherwise we will proceed with a motion to compel production and responses to RFP Nos. 7, 9, 13, 17, 25, 26, 28, and 33; RFA Nos. 5, 9(A)–73(B), 82, and 83; and Interrogatory Nos. 6 and 8 and alert the Court that X opposes the motion.

Many thanks,

Abha

Abha Khanna
[Elias Law Group LLP](#)

1700 Seventh Ave Ste 2100
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206-656-0177
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From: Abha Khanna

Sent: Monday, October 14, 2024 7:32 PM

To: Chris Hilton <chris@stonehilton.com>; Alex Dvorscak <alex@stonehilton.com>; Michael Abrams <michael@stonehilton.com>; Elizabeth Brown Fore <Elizabeth@stonehilton.com>

Cc: Aria Branch <abbranch@elias.law>; Jacob Shelly <jshelly@elias.law>; Elena Rodriguez Armenta <erodriguezarmenta@elias.law>; Ahmed, Amer S. <AAhmed@gibsondunn.com>; LeGrand, Andrew <ALeGrand@gibsondunn.com>; Daniela Lorenzo <dlorenzo@elias.law>

Subject: X Corp. v. MMFA: Fourth Discovery Deficiency Letter

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Abha Khanna
Elias Law Group LLP
1700 Seventh Ave Ste 2100
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akhanna@elias.law

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TAB 4

From: [Abha Khanna](#)
To: [Alex Dvorscak](#)
Cc: [Aria Branch](#); [Jacob Shelly](#); [Elena Rodriguez Armenta](#); [Ahmed, Amer S.](#); [LeGrand, Andrew](#); [Daniela Lorenzo](#); [Chris Hilton](#); [Michael Abrams](#); [Elizabeth Brown Fore](#); [Judd E. Stone, II](#); [Ari Cuenin](#); [Cody Coll](#)
Subject: RE: X Corp. v. MMFA: Fourth Discovery Deficiency Letter
Date: Friday, October 18, 2024 8:55:53 PM

Thank you, Alex. Since it appears we remain at an impasse on the discovery requests listed below, we will proceed with filing and note your opposition.

Have a good weekend.

Best,
Abha

Abha Khanna
Elias Law Group LLP
1700 Seventh Ave Ste 2100
Seattle WA 98101
206-656-0177
akhanna@elias.law

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From: Alex Dvorscak <alex@stonehilton.com>
Sent: Friday, October 18, 2024 5:55 PM
To: Abha Khanna <akhanna@elias.law>
Cc: Aria Branch <abbranch@elias.law>; Jacob Shelly <jshelly@elias.law>; Elena Rodriguez Armenta <erodriguezarmenta@elias.law>; Ahmed, Amer S. <AAhmed@gibsondunn.com>; LeGrand, Andrew <ALeGrand@gibsondunn.com>; Daniela Lorenzo <dlorenzo@elias.law>; Chris Hilton <chris@stonehilton.com>; Michael Abrams <michael@stonehilton.com>; Elizabeth Brown Fore <Elizabeth@stonehilton.com>; Judd E. Stone, II <judd@stonehilton.com>; Ari Cuenin <ari@stonehilton.com>; Cody Coll <cody@stonehilton.com>
Subject: RE: X Corp. v. MMFA: Fourth Discovery Deficiency Letter

Hi Abha,

As I'm sure you can understand, I've never considered 5:00pm to be the end of the business day. Please see my attached correspondence that addresses the points you raised in your letter dated October 14, 2024. If, after your review, there is anything you would like to discuss, please let me know and we would be happy to meet-and-confer.

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-Alex Dvorscak
STONE HILTON PLLC
alex@stonehilton.com | (518) 772-8657

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Sent: Friday, October 18, 2024 7:07 PM
To: Chris Hilton <chris@stonehilton.com>; Alex Dvorscak <alex@stonehilton.com>; Michael Abrams <michael@stonehilton.com>; Elizabeth Brown Fore <Elizabeth@stonehilton.com>
Cc: Aria Branch <abranch@elias.law>; Jacob Shelly <jshelly@elias.law>; Elena Rodriguez Armenta <erodriguezarmenta@elias.law>; Ahmed, Amer S. <AAhmed@gibsondunn.com>; LeGrand, Andrew <ALeGrand@gibsondunn.com>; Daniela Lorenzo <dlorenzo@elias.law>
Subject: RE: X Corp. v. MMFA: Fourth Discovery Deficiency Letter

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Many thanks,
Abha

Abha Khanna
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Subject: X Corp. v. MMFA: Fourth Discovery Deficiency Letter

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Abha

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1700 Seventh Ave Ste 2100
Seattle WA 98101
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akhanna@elias.law

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TAB 5

STONE HILTON

October 4, 2024

Via Electronic Mail

Andrew LeGrand
GIBSON, DUNN & CRUTCHER LLP
2001 Ross Avenue, Suite 2100
Dallas, TX 75201
(214) 698-3100
alegrand@gibsondunn.com

Re: *X Corp. v. Media Matters for America, et al.*
No. 4:23-cv-01175-O

Dear Mr. LeGrand:

Below is a list of custodians from whom Plaintiff X Corp. has collected documents for this litigation.

1. Adrien Schriefer
2. Alec Goldberg
3. Alec Speckhart
4. Alex Pomper
5. Alexandra Guevara
6. Amber Boozer
7. Andrew Boyer
8. Anthony Jackman
9. AJ Brown
10. Bill Casale
11. Brendan Connors
12. Brett Weitz
13. Brett Yale
14. Bridget Johnson
15. Bruno Narchi
16. Caio Lima



17. Charlie Freyre
18. Chris Riedy
19. Claudia Consuegra
20. Colin Marshall
21. Colton Heller
22. Dan Lapidus
23. Daniel Delgado
24. Drew Osinski
25. Ella Irwin
26. Elon Musk
27. Emily Bradford
28. Erick McAfee
29. Ginny Conley
30. Giselle Diaz
31. Greg Gerber
32. Heather Kirkpatrick
33. Irene Candela
34. Jared Benoff
35. Jay Birko
36. Jen Chatham
37. Jessica MacFaddin
38. Jessica Weeks
39. JJ Sawyer
40. Joe Benarroch
41. John Riordan
42. Johnathan Phelps
43. Juliana Ambrosano
44. Kaitlin Landreth
45. Karina Girgla
46. Kelsey Bowers
47. Kevin Basch
48. Kevin De Las Alas
49. Kirsten Craig
50. Linda Yaccarino
51. Louise Beltrão
52. Mariana Reyes Aguila
53. Mariela Juncos
54. Marisa Hansen
55. Matt Verklin
56. Matthew Eck
57. Matthew Madrazo
58. Michael Schepp
59. Milena Leica

- 60. Ming Song
- 61. Monique Pintarelli
- 62. Morgan Barrows
- 63. Nick Raynor
- 64. Nico McAfee
- 65. Nicola Meagher Ludowyke
- 66. Peter Horn
- 67. Rafael Yunes
- 68. Robert Hayes
- 69. Royce Hall
- 70. salesupdates@twitter.com
- 71. Samira Abrams
- 72. Siddharth Rao
- 73. Stephen Wolek
- 74. Vanessa Gomez

Very truly yours,

/s/ Christopher D. Hilton

Christopher D. Hilton
STONE | HILTON PLLC
chris@stonehilton.com
737.465.3897

cc: Counsel of Record

TAB 6

From: [James Murray](#)
To: [Alithea Sullivan](#); [Alex Dvorscak](#); [Michael Abrams](#)
Cc: [X_PM](#); [David Shub](#)
Subject: TWI01_MMAME | X Corp./Media Matters - Daily Progress Report
Date: Friday, October 25, 2024 9:19:25 AM
Attachments: [image001.png](#)
[image002.png](#)

Hi Alithea,

Here is the latest progress report. These numbers are through the end of the day on October 24th, 2024:

Staffing, Pace, and Completion Rates	File Count	
1L Review Complete	102,392	
QC complete and released	25,795	
Total Hours 1L Review to date	2579	Total 1L Hours
1L Review Team Size	17	1L Reviewers
QC Review Team Size	3	QC Reviewers

Please let me know if you have any questions.

Sincerely,

James Murray, Esq. (*he/him/his*)

Senior Review Manager

Review & Advanced Analytics



Cell: 404-862-9187 | Central Time Zone

[Web](#) • [LinkedIn](#) • [Insights](#) • [Podcast](#)



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TAB 7

Message

From: Daniel Lapidus [dlapidus@x.com]
Sent: 11/16/2023 6:35:36 PM
To: GETSupport [getsupport@x.com]
CC: Mark Bambury [mbambury@x.com]; Kelly O'Malley [komalley@x.com]
Subject: Fwd: Brand Safety Concerns
Attachments: image001.png

Hi Support team,

IBM has paused globally following the media matters article below. They have a zero tolerance policy and requested we validate the authenticity of the screenshots in the article and provide a formal response to how we are approaching this issue and any related data/ insights we can provide. Thanks for your help.

Best,
Dan

----- Forwarded message -----

From: Mica Ness <mica.ness@eightbarcollective.com>
Date: Thu, Nov 16, 2023 at 12:15 PM
Subject: Brand Safety Concerns
To: Daniel Lapidus <dlapidus@twitter.com>
Cc: Anastasia Avdeyuk <anastasia.avdeyuk@eightbarcollective.com>, Zanovia Pierce <zanovia.pierce@eightbarcollective.com>

Hi Dan,

We just paused all X activity due to the below article. Can you help us make sense of if this is a threat or not? If not, is there a way to prove that to IBM? Are there adjacency reports or any other form of transparency we can provide?

<https://www.mediamatters.org/twitter/musk-endorses-antisemitic-conspiracy-theory-x-has-been-placing-ads-apple-bravo-ibm-oracle>

Mica Ness

Sr Partner, Group Director, Social



636 11th Avenue
New York, NY 10036
T: 773.710.4994

Privileged/Confidential Information may be contained in this message. If you are not the addressee indicated in this message, you should destroy this message. For more information on WPP's business ethical standards and corporate responsibility policies, please refer to WPP's website.

TAB 8

Message

From: Stephen Wolek [swolek@x.com]
Sent: 11/20/2023 4:59:36 PM
To: Darnisha Bishop [darnisha.bishop@carat.com]
CC: Amy Siegel [amy.siegel@dentsu.com]; Lindsay Kligman [lkligman@x.com]; Rochelle Turner [rochelle.turner@dentsu.com]
Subject: Re: Brand Safety concerns
Attachments: image001.png; image001.png; image002.png; image003.png; image004.png; image005.png; image006.png

Hi Dentsu team,

I hope you're doing well. Over the weekend, our X Safety team [posted this blog](#) with official comms & details surrounding the allegations made by Media Matters last week. I hope the data provided within helps explain the situation -- as always, please don't hesitate to reach out if we can help answer any further questions.

Thanks,
Stephen



Stephen Wolek
Atlanta, GA | Sr. Client Partner
Follow me [@swolek](#) | 770.789.0952

On Fri, Nov 17, 2023 at 5:19 PM Stephen Wolek <swolek@x.com> wrote:

Hi team,

We're still awaiting full official communication related to the recent articles/allegations. But in the meantime, here's our team's statement:

X opposes all forms of discrimination including anti semitism. Linda Yaccarino reiterated our position on this issue in a [public post](#) yesterday. Our product team is currently investigating the allegations made by Media Matters. This includes reviewing the logs of every ad and piece of content in question, which takes some time. When this is complete we will get back to you with the results of our review and, if necessary, a mitigation plan. We understand the importance of these allegations and we are working to get back to you as soon as possible.

We'll be in touch soon. Hope everyone has a nice weekend if we don't connect again today.

Thanks,
Stephen



Stephen Wolek

Atlanta, GA | Sr. Client Partner

Follow me [@swolek](#) | 770.789.0952

On Fri, Nov 17, 2023 at 11:49 AM Darnisha Bishop <Darnisha.Bishop@carat.com> wrote:

+*Rochelle for additional viz*

Many thanks,

DARNISHA BISHOP

Director, Paid Social

dentsu



From: Stephen Wolek <swolek@x.com>

Date: Friday, November 17, 2023 at 11:48 AM

To: Amy Siegel <amy.siegel@dentsu.com>

Cc: Darnisha Bishop <Darnisha.Bishop@carat.com>, Lindsay Kligman <lkligman@x.com>

Subject: Re: Brand Safety concerns

Hey Amy,

Thanks for reaching out and for the update. We're still gathering more info and awaiting official comms from our trust & safety team, but it's good to know Intel is paused in the meantime. I'll be in touch soon as we receive more information.

Thanks,

Stephen



Stephen Wolek

Atlanta, GA | Sr. Client Partner

Follow me [@swolek](#) | 770.789.0952

On Fri, Nov 17, 2023 at 11:33 AM Amy Siegel <amy.siegel@dentsu.com> wrote:

Hey Stephen

Happy Friday! Naturally given what has been published the teams are worried about being live and have paused for the time being.

Can we dig in a bit further on settings and controls? We're accounts like IBM, Apple etc. showing up adjacent next to hate speech not on the right controls?

Thank you!

AMY SIEGEL
Sent while Mobile

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On Nov 16, 2023, at 6:22 PM, Stephen Wolek <swolek@x.com> wrote:

Hey Nicole,

Thanks for reaching out and apologies for not sharing an update with you earlier. We're still awaiting comms from our team regarding the Media Matters article. But in the meantime, we've been assured Intel's conservative settings and brand safety controls will protect your brand from appearing adjacent to unsafe content like this.

I'll keep you posted on any action X takes & comms as soon as we have more info. Thank you for your continued partnership.

Stephen



Stephen Wolek
Atlanta, GA | Sr. Client Partner
Follow me [@swolek](#) | 770.789.0952

Hi Stephen, I am now aware of the news today around the IBM and other advertisers experiencing challenges being next to content that is not brand safe. Please keep us informed on actions X is taking and if there is anything else can deploy re: brand safety.

Thank you,
Nicole



Nicole Roth

Global Paid Media Director | Brand, Customer & Sales Excellence Team, SMG

nicole.m.roth@intel.com | M 916.458.2623

5200 NE Elam Young Pkwy | Hillsboro, OR, 97124

Intel Corporation | [intel.com](https://www.intel.com)

TAB 9

* Date lookback : 4/14/21 to 8/12/24

Total users suspended 800,387,907

Summary by year

Year	Total	Daily Average	Monthly Average
2021		0#DIV/0!	#DIV/0!
2022		0#DIV/0!	#DIV/0!
2023		0#DIV/0!	#DIV/0!
2024		0#DIV/0!	#DIV/0!

Summary by Month

Month	Total	Daily Average	Daily Average in Millions
2021-04-01	297,123	17,478	17,477.8M
2021-05-01	436,103	14,068	14,067.8M
2021-06-01	418,703	13,957	13,956.8M
2021-07-01	431,795	13,929	13,928.9M
2021-08-01	459,812	14,833	14,832.6M
2021-09-01	371,017	12,367	12,367.2M
2021-10-01	407,814	13,155	13,155.3M
2021-11-01	512,440	17,081	17,081.3M
2021-12-01	563,418	18,175	18,174.8M
2022-01-01	732,615	23,633	23,632.7M
2022-02-01	658,849	23,530	23,530.3M
2022-03-01	1,258,867	40,609	40,608.6M
2022-04-01	873,990	29,133	29,133.0M
2022-05-01	1,114,523	35,952	35,952.4M
2022-06-01	1,126,708	37,557	37,556.9M
2022-07-01	2,635,736	85,024	85,023.7M
2022-08-01	3,434,394	110,787	110,786.9M
2022-09-01	4,603,684	153,456	153,456.1M
2022-10-01	6,368,662	205,441	205,440.7M
2022-11-01	11,034,544	367,818	367,818.1M
2022-12-01	11,436,416	368,917	368,916.6M
2023-01-01	8,860,524	285,823	285,823.4M
2023-02-01	7,714,559	275,520	275,520.0M
2023-03-01	9,577,066	308,938	308,937.6M
2023-04-01	11,014,375	367,146	367,145.8M
2023-05-01	11,076,679	357,312	357,312.2M
2023-06-01	11,607,289	386,910	386,909.6M
2023-07-01	17,463,927	563,352	563,352.5M
2023-08-01	13,488,085	435,100	435,099.5M
2023-09-01	9,309,666	310,322	310,322.2M
2023-10-01	8,804,434	284,014	284,014.0M
2023-11-01	19,704,582	656,819	656,819.4M
2023-12-01	12,265,676	395,667	395,667.0M
2024-01-01	18,131,376	584,883	584,883.1M
2024-02-01	29,589,139	1,020,315	1,020,315.1M
2024-03-01	25,278,802	815,445	815,445.2M
2024-04-01	136,460,552	4,548,685	4,548,685.1M
2024-05-01	85,210,643	2,748,730	2,748,730.4M
2024-06-01	174,390,746	5,813,025	5,813,024.9M
2024-07-01	111,716,106	3,603,745	3,603,745.4M
2024-08-01	29,546,468	2,462,206	2,462,205.7M

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<https://phabricator.twitter.biz/P87595>

TAB 10

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

X CORP., a Nevada corporation,

Plaintiff,

vs.

MEDIA MATTERS FOR AMERICA, a
Washington, D.C. non-profit corporation,
ERIC HANANOKI, and **ANGELO
CARUSONE**,

Defendants.

Case No. 4:23-cv-01175-O

DECLARATION OF JEFFREY LEWIS

1. My name is Jeffrey Lewis. I am a Director, in Client Services at Lighthouse Document Technologies, Inc., an e-discovery and information governance company.
2. In my role as Director, Client Services, I have direct knowledge of Lighthouse's role as X Corp.'s electronic document discovery vendor in the above-captioned litigation and the e-discovery that has taken place in that litigation.
3. X Corp. has retained Lighthouse to assist in its electronic document production and discovery in this matter.
4. Lighthouse's tasks include assisting X Corp. in producing documents to Defendants, as well as maintaining and retaining any documents the Defendants produce to X Corp.
5. As of October 23, 2024, Lighthouse has prepared productions for X Corp. of 33,802 documents, totaling 130,757 pages, in this litigation.
6. As of October 23, 2024, Lighthouse has received 14,942 documents, totaling 106,199 pages produced by Defendants.

I declare under penalty of perjury under the laws of the United States of America that the

foregoing is true and correct. Executed on October 24, 2024.

Signed by:

269449F740EC42E...
Jeffrey Lewis
Director, Client Services
Lighthouse

TAB 11

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

X CORP., a Nevada corporation,

Plaintiff,

vs.

MEDIA MATTERS FOR AMERICA, a
Washington, D.C. non-profit corporation,
ERIC HANANOKI, and **ANGELO
CARUSONE**,

Defendants.

Case No. 4:23-cv-01175-O

DECLARATION OF AVANTIKA MANKAR

1. My name is Avantika Mankar. I am currently the Director of Marketing, Europe, Middle East and Africa for X Corp. In 2023, I held the title of Senior Manager, Sales Enablement, and prior to that, I held the title of Senior Manager, Global Strategy & Operations at X Corp.
2. In my current role as Director of Marketing and in my prior roles, I have worked closely with our internal sales team to create and distribute marketing collateral to key advertisers. This requires me to understand the full ecosystem of our business including the volume and types of advertisers we work with and the nature of advertiser campaigns on our platform—both in how they are set up and run.
3. In 2023, X had hundreds of thousands of advertisers.
4. In a given year, it's not uncommon for advertisers to generate multiple documents for X Corp. For example, some advertisers employ several advertising campaigns on X each year. Each advertising campaign, in turn, generates one, if not several, insertion orders or other documents evidencing the campaign.

5. Currently, there are tens of thousands of participants in X's Creator Ads Revenue Sharing program.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on October 25, 2024.

/s/ Avantika Mankar

Avantika Mankar

Director of Marketing, Europe, Middle East
and Africa

X Corp.

TAB 12

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

X CORP., a Nevada corporation,

Plaintiff,

vs.

MEDIA MATTERS FOR AMERICA, a
Washington, D.C. non-profit corporation,
ERIC HANANOKI, and **ANGELO
CARUSONE**,

Defendants.

Case No. 4:23-cv-01175-O

DECLARATION OF SIDDHARTH RAO

1. My name is Siddharth Rao. I am the Director of Advertising Engineering for X Corp., a position that I have held for approximately 2 years.
2. In my role as Director of Advertising Engineering, I oversee all product development for advertising products at X Corp. I manage approximately 35 employees across our advertising and product teams.
3. In 2023, X had hundreds of thousands of advertisers.
4. In a given year, it is not uncommon for advertisers to generate multiple documents for X Corp. For example, some advertisers employ several advertising campaigns on X each year. Each advertising campaign generates many documents in connection with the campaign.
5. Currently, there are tens of thousands of participants in X's Creator Ads Revenue Sharing program.
6. I have reviewed Nos. 9(A) through 73(B) of Defendants' Second Set of Requests for Admission.

7. X is a social network platform with hundreds of millions of users, and hundreds of millions of posts created per day. The set of material that Defendants are suggesting X engineers review is massive. The number of impressions that all users on X see on a specific day is extremely large. Every day, X's hundreds of millions of users view approximately over one hundred billion posts, including billions of advertisements.

8. To accurately respond to Requests for Admission Nos. 9(a) through 73(b) would require X's engineering team to take several, costly, complicated, and prohibitively time-consuming steps.

9. An adjacency is a term used to describe the appearance of posts next to each other, including advertising posts next to a user's post.

10. To confirm whether the adjacencies provided in the Requests for Admission were displayed as shown in the images, X engineers would need to have the user handle or unique identifier of the user (the "user id") who posted the alleged hateful content, the identity of the user who viewed the alleged hateful content (the "viewer handle"), the unique identifier of the posts (the "post ids") for each adjacency, including the post ids for the posts above or below the alleged hateful content, the date of the post, and the time the posts were presented. Every post, reply, and advertisement on the platform is unique and has its own post id.

11. However, virtually none of the RFAs include all of the information described above that would enable X engineers to obtain reasonable answers to the RFAs, and confirming the RFAs would be akin to a detective exercise.

12. For example, some RFAs are missing the user handle of the user who posted the alleged hateful content (*e.g.*, RFA Nos. 18(B), 20(B), 23(B) (cutoff at the top)), some are missing the

date and specific time of the posts and searches (*e.g.*, RFA Nos. 15(B)), and some are missing the post ids of the advertisements (*e.g.* RFA No. 27(B) (cutoff at the bottom)).

13. Similarly, a review of RFA 10(A) and (B) shows that we cannot determine the user id of who viewed the advertisement because it is not clear that the ad pairing was a screenshot by the user who posted it, rather than copied from another user. Second, the screenshot contains a date, but it is not clear that the date on which the reply was posted is the same date on which the supposed pairing was displayed. This makes it unclear if multiple days or months of data need to be searched to find the posts matching the screenshot. This quickly creates billions of posts that need to be analyzed to find the matches. For example, if we had to search through seven months of data, that may require a review of tens of billions of posts.

14. In addition, the screenshot in RFA 10(A) and (B) does not contain a time. As a result, and even if the day was identified, to find the individual post ids of the reply and the advertisement and their pairing, X engineers would be required to investigate all instances of the advertisement appearing on any given day. Further, on any given day, the referenced advertisement may be posted multiple times (for various reasons). It is important to find and investigate all the posts with the same content because only one of them might have been served in the order as shown in the screenshot. If that specific post is not found or investigated, we may incorrectly claim that the placement in the screenshot did not happen. For example, an advertiser might post the same ads many times (even hundreds of times) with different targeting settings in the same day, creating various post ids, and there may also be many versions of the allegedly adjacent post, each with their own post ids as well. Assuming, for example, an ad with 100 post ids and an allegedly adjacent post with 10 post ids, this overall creates 1,000 different combinations that all need to be checked for a single screenshot.

15. As another example, with respect to RFA 9(A) and (B), again we cannot determine the viewer handle of who viewed the search results because it is not clear that the search result and ad shown was a screenshot by the user who posted it, rather than copied from another user. Second, we cannot determine the post id of the advertisement because the screenshot does not show the time or date on which the ad appeared or the search was made. Third, we cannot determine the post id for the post that allegedly appeared next to the advertisement, because the screenshot only shows a capture of a video with yellow in it. In addition to all the challenges above, this post presents additional challenges because the supposed screenshot contains a post with only visible images or video as opposed to words. Machines can process and distinguish text content fairly easily, but to tell if two images have the same content, using a machine is a challenging task (especially when trying to use the screenshots provided to us in the Requests for Admission because the quality of the images provided increases the difficulty). With the help of AI, we are able to use machines to understand image content, but this comes with the cost of computing resources (GPUs) and energy. There are hundreds of millions of posts per day created on X, and hundreds of millions of historical image posts that may need to be processed if the screenshot does not show clear clues to help us reduce the scope. We currently do not have sufficient computer resources to process all the image matching in days or even weeks of time.

16. X would also incur significant data costs by querying its data storage for responses. Investigating a single screenshot could cost thousands of dollars in data costs alone and take days or even weeks just to execute the necessary queries, and we may still be unable to answer the RFAs.

17. In addition to the significant costly computing, resource, and engineering burdens discussed above, investigating each supposed ad pairing based on the context clues provided in

the screenshots alone would take several employees approximately 5 hours each, at a minimum, to attempt to resolve, and given the lack of detail many may not be resolvable at all. In short, even after incurring the costs and putting engineers on the time-consuming tasks of doing the detective work associated with responding to the RFAs, we may not be able to answer at all given the lack of information relating to the adjacencies.

I declare under penalty of perjury that the foregoing statements are true and correct.

Executed: October 25, 2024

/s/ Siddharth Rao
Siddharth Rao
Director of Advertising Engineering
X Corp.